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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1054 U.S. PTO  
12/19/01

APPLICANTS: Russo et al      GROUP ART UNIT: Not Yet Assigned  
U.S.S.N.: Not Yet Assigned      EXAMINER: Not Yet Assigned  
FILING DATE: December 19, 2001  
TITLE: *A SYSTEM AND METHOD FOR CONFIGURING AND PERFORMING  
APPLICATION BACKUPS AND RESTORES IN DIVERSE  
ENVIRONMENTS*

10/024971  
12/19/01

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Date: December 19, 2001

By: Linda Valanzola

Print Name: Linda Valanzola

UTILITY PATENT APPLICATION TRANSMITTAL

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Transmitted herewith for filing is a patent application entitled:

*A SYSTEM AND METHOD FOR CONFIGURING AND PERFORMING APPLICATION  
BACKUPS AND RESTORES IN DIVERSE ENVIRONMENTS*

-2-

**Named Inventor(s) / Inventor Address(es) / Inventor Citizenship(s):**

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**Enclosed are:**

- [x] Transmittal Letter (this form, 4 Pages, IN DUPLICATE) Total Pages: 8;
- [x] Utility Patent Application Specification including Cover Sheet, Title of the Invention, Background of the Invention, Summary of the Invention, Brief Description of the Drawings, Detailed Description, 29 Claims ( 3 Independent, 26 dependent), Abstract of the Disclosure, Total Pages: 62;
- [x] Drawings: [x] Formal, [ ] Informal (Figs: 1-23), Total Sheets: 21;
- [x] Request and Certification Under 35 U.S.C. 122(b)(2)(B)(I); Total Sheets: 1;
- ✓ [x] Newly Executed Oath/Declaration/Power Of Attorney, Total Pages: 4;
- ✓ [x] Assignment Papers (Assignment Recordation Cover Sheet 1 page, 1 Duplicate Copy, Copy of Assignment Document, 6 pages), Total Pages: 8;
- [x] Return Receipt Postage Pre-paid Postcard;

[x] Authorization to charge deposit account; with fee amounts calculated as follows:

CLAIMS	Number Filed	Number Extra	Rate	Calculations
Total Claims	28 - 20 =	8	x \$18	144.00
Independent Claims	3 - 3 =	0	x \$84	0
Multiple Independent Claims			+ 270 =	0
BASIC FILING FEE =				\$740.00
Total of Above Calculations =				\$884.00
Assignment Recordation Fee =				\$ 40.00
TOTAL FEE FOR THIS PATENT APPLICATION =				<u>\$924.00</u>

Please direct all telephone calls and address all correspondence to:

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Please charge any fees associated with this transaction to Deposit Account No. 05-0889.  
The office is authorized to charge any deficiency and credit any over payment in the total fees indicated above.

If the enclosed papers or fees are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (508) 435-1000 Ext. 76985, in Hopkinton, Massachusetts.

Respectfully submitted,

Dated: December 19, 2001

By: Robert Kevin Perkins  
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G/Kevin Perkins/Prosecution/EMC-01-109 Utility Patent Transmittal.doc

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**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Russo et al
Title	A System and Method for Configuring and Performing Application Backups and ....
Atty Docket Number	EMC-01-109

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Dec 19, 2001

Date



Signature

Robert Kevin Perkins

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.